

REMARKS

Claims 1-14 are pending in this application. Claims 1 and 6 have been amended. Support for the amendment to claim 1 appears, for example, in paragraph [0025] of the specification. More specifically, the recitation of metal powders in paragraph [0025] provides support for excluding metal powders in amended claim 1. In re Johnson, 194 USPQ 187,196 (C.C.P.A. 1977). Support for the amendment to claim 6 appears in paragraphs [0053] and [0064]. Paragraph [0053] discloses a honeycomb cell density of 10-400 cpsi, while paragraph [0064] discloses a honeycomb product having a cell density of 40 cpsi. These two disclosures taken together convey that the product may, for example, have a cell density of from 10-40 cpsi. See, e.g., In re Blaser, 194 USPQ 122,125 (C.C.P.A. 1977) (support for heating in the range of "80 degrees C to 200 degrees C" found in the disclosed range of between 60 degrees C and 200 degrees C and an embodiment beginning at 80 degrees C prior to heating); Kolmes v. World Fibers Corp., 41 USPQ 2d 1829, 1832 (Fed. Cir. 1997) (support for the range "8-12 turn per inch" found in the disclosed range of 4-12 turns per inch, where 8 turns per inch was preferred).

New claims 13-14 have been added. Support for new claim 13 appears, for example, in the specification in paragraph [0053] and paragraph [0064]. More specifically, paragraph [0064] discloses two products having individual cell densities of 15 and 40 cpsi. This teaching taken in combination with the disclosure of a broader range of 10-400 cpsi in paragraph [0053], naturally conveys that the product may have a cell density of, for example, 15-40 cpsi. Support for new claim 14 appears, for example, in the specification in paragraph [0025].

§ 103 Rejections

The Examiner has rejected claims 1, 2 and 12 under 35 U.S.C. § 103 as being unpatentable over Ohashi et al (US Patent 5,514,347). In support of the rejection, the

Examiner mentioned that a powder could be used as a source of metal for the extruder, citing to paragraph [0025] of the specification. Independent method claim 1 now recites that the metal feedstock does not comprise a metal powder, and independent method claim 14 recites that the metal feed stock is selected from bar stock, tubing stock, nuggets, ingots, and billets. As a result, applicants believe that these newly presented claims should be patentable over the Ohashi patent.

The Examiner rejects claims 3-5 under 35 U.S.C. 103(a) as obvious over Ohashi in view of Peters (US 4,574,459). Claims 3-5 each depend either directly or indirectly from claim 1. At least for the reasons cited above, Ohashi fails to disclose or suggest all of the features of claim 1.

Peters relates to a method of forming a die and specifically to forming coatings on slot-defining surfaces of a die. Peters does not, however, teach providing a softened bulk metal feed charge much less a step of forcing a bulk metal feed charge through a die. Thus, Peters fails to remedy the deficiencies of Ohashi. For at least this reason, reconsideration and withdrawal of the rejection are respectfully requested.

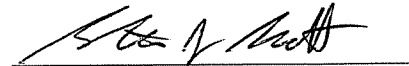
Based upon the above amendments, remarks, and papers of records, applicant believes the pending claims of the above-captioned application are in allowable form and patentable over the cited references. Applicant respectfully requests that a timely Notice of Allowance be issued in this case.

Applicant believes that no extension of time is necessary to make this Reply timely. Should applicant be in error, applicant respectfully requests that the Office grant such time extension pursuant to 37 C.F.R. § 1.136(a) as necessary to make this Reply timely, and hereby authorizes the Office to charge any necessary fee or surcharge with respect to said time extension to the deposit account of the undersigned firm of attorneys, Deposit Account 03-3325.

Please direct any questions or comments to Steven J Scott at 607-974-3322.

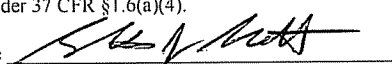
Respectfully Submitted,

DATE: 13 Apr 2009



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